

AMENDED IN SENATE APRIL 21, 2003

SENATE BILL

No. 338

Introduced by Senator Scott

February 19, 2003

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An act to amend ~~Section 76001~~ Sections 48800, 48802, and 76002 of the Education Code, relating to ~~education finance~~ public schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 338, as amended, Scott. ~~Education finance: concurrent~~ Concurrent enrollment of pupils in high school and community college.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state.

*Existing law authorizes the governing board of a school district to authorize pupils, with parental permission, who would benefit from advanced scholastic or vocational work to attend community college as special part-time students to undertake one or more courses of instruction at the community college level. Existing law further authorizes the governing board of a community college to admit those students to any community college under its jurisdiction.*

*This bill would provide that those part-time students may only take courses at the community college level that are not offered at the pupil's school of attendance.*

*Existing law authorizes a community college district, for the purposes of receiving state apportionments, to include special part-time students in the district's report of full-time equivalent students if those*

*pupils are enrolled in community college classes that are open to the general public.*

*This bill would require those courses to meet several additional criteria in order for the community college district to include the students in the district's report of full-time equivalent students. Existing law authorizes the governing board of a community college district to admit to any community college under its jurisdiction, as a special part-time student, a high school pupil who is determined by the governing board of his or her school district of attendance to be likely to benefit from advanced scholastic or vocational work.*

*This bill would make a technical, nonsubstantive change in that provision.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. Section 76001 of the Education Code is~~

2 *SECTION 1. Section 48800 of the Education Code is*  
3 *amended to read:*

4 48800. (a) The governing board of ~~any~~ a school district may  
5 determine which pupils would benefit from advanced scholastic or  
6 vocational work. The intent of this section is to provide  
7 educational enrichment opportunities for a limited number of  
8 eligible pupils, rather than to reduce current course requirements  
9 of elementary and secondary schools. The governing board may  
10 authorize those pupils, upon recommendation of the principal of  
11 ~~the school that the pupil attends~~ *pupil's school of attendance*, and  
12 with parental consent, to attend a community college as special  
13 part-time students and to undertake one or more *academic or*  
14 *vocational* courses of instruction offered at the community college  
15 level, *only if those courses, or their equivalent, are not offered at*  
16 *the pupil's school of attendance.*

17 (b) If the governing board denies a request for a special  
18 part-time enrollment at a community college for a pupil who is  
19 identified as highly gifted, the board shall issue its written  
20 recommendation and the reasons for the denial within 60 days. The  
21 written recommendation and denial shall be issued at the next  
22 regularly scheduled board meeting that falls at least 30 days after  
23 the request has been submitted.

(c) The students shall receive credit for community college courses that they complete at the level determined appropriate by the school district and community college district governing boards.

*SEC. 2. Section 48802 of the Education Code is amended to read:*

48802. For purposes of allowances and apportionments from Section B of the State School Fund, a community college shall be credited with additional units of average daily attendance attributable to the attendance of pupils at the community college as special part-time students pursuant to this article *and is set forth in Section 76002.*

A school district whose pupils attend a community college as special part-time students pursuant to this article shall, for purposes of allowances and apportionments from Section A of the State School Fund, continue to receive credit for attendance by those pupils computed in the manner prescribed by law, and a pupil's attendance at school for the minimum schoolday shall be deemed a day of attendance for purposes of making the computation.

*SEC. 3. Section 76002 of the Education code is amended to read:*

76002. (a) For the purposes of receiving state apportionments, a community college district may include high school pupils who attend a community college within the district pursuant to Sections 48800 and 76001 in the district's report of full-time equivalent students (FTES) only if those pupils are enrolled in community college classes that ~~are open to the general public~~ *meet all of the following criteria:*

(1) *The class is open for enrollment to the general public and is so advertised in the college catalog.*

(2) *The class is not offered at the pupil's school of attendance during regular school hours.*

(3) *The class provides college-level academic or vocational instruction.*

(b) *A community college district may not receive state apportionments for special part-time students enrolled in noncredit, recreation, or physical education courses.*

~~amended to read:~~

1     ~~76001. (a) The governing board of a community college~~  
2 ~~district may admit to any community college under its jurisdiction~~  
3 ~~as a special part-time student any student who is eligible to attend~~  
4 ~~community college pursuant to Section 48800.~~

5     ~~(b) If the governing board denies a request for a special~~  
6 ~~part-time enrollment at a community college for a pupil who is~~  
7 ~~identified as highly gifted, the board shall record its findings and~~  
8 ~~the reasons for denial of the request in writing within 60 days. The~~  
9 ~~written recommendation and denial shall be issued at the next~~  
10 ~~regularly scheduled board meeting that falls at least 30 days after~~  
11 ~~the request has been submitted.~~

12     ~~(c) The attendance of a pupil at community college as a special~~  
13 ~~part-time student pursuant to this section is authorized attendance,~~  
14 ~~for which the community college shall be credited or reimbursed~~  
15 ~~pursuant to Section 48802. Credit for courses completed shall be~~  
16 ~~at the level determined to be appropriate by the school district and~~  
17 ~~community college district governing boards.~~

18     ~~(d) For purposes of this section, a special part-time student may~~  
19 ~~enroll in up to, and including, 12 units per semester, or the~~  
20 ~~equivalent thereof, at the community college.~~

21     ~~(e) The governing board of a community college district may~~  
22 ~~admit to any community college under its jurisdiction as a special~~  
23 ~~full-time student any pupil who is eligible to attend community~~  
24 ~~college pursuant to Section 48800.5, and who, in the opinion of the~~  
25 ~~college president, could benefit from the course or class.~~

26     ~~(f) If the governing board denies a request for a special~~  
27 ~~full-time enrollment for a pupil who is identified as highly gifted,~~  
28 ~~the board shall record its findings and the reasons for denial of the~~  
29 ~~request in writing within 60 days. The written recommendation~~  
30 ~~and denial shall be issued at the next regularly scheduled board~~  
31 ~~meeting that falls at least 30 days after the request has been~~  
32 ~~submitted.~~

33     ~~(g) The attendance of a pupil at a community college as a~~  
34 ~~special full-time student pursuant to this section is authorized~~  
35 ~~attendance, for which the community college shall be credited~~  
36 ~~pursuant to Section 48800.5.~~

37     ~~(h) The governing board of a community college district may~~  
38 ~~admit to the summer session of any community college under its~~  
39 ~~jurisdiction as a special student any student, with parental consent.~~

1 ~~(1) Whose admission to summer session is recommended by~~  
2 ~~the principal of the school that the student attends.~~

3 ~~(2) Who has demonstrated adequate preparation in the~~  
4 ~~discipline to be studied.~~

5 ~~(3) Who has availed himself or herself of all opportunities to~~  
6 ~~enroll in an equivalent course at his or her school of attendance.~~

7 ~~(i) A principal may recommend a pupil as a special student~~  
8 ~~pursuant to rules and regulations that may be adopted by the~~  
9 ~~governing board of the school district. The principal of a school~~  
10 ~~shall not recommend a number of pupils who have completed a~~  
11 ~~particular grade in excess of 5 percent of the total number of pupils~~  
12 ~~in the school who have completed that grade immediately prior to~~  
13 ~~the time of recommendation.~~

14 ~~(j) The attendance of a special summer session student at a~~  
15 ~~community college pursuant to this section shall be credited to the~~  
16 ~~district maintaining the community college for the purposes of~~  
17 ~~allowances and apportionments from the State School Fund. The~~  
18 ~~student shall receive credit for community college courses that he~~  
19 ~~or she completes, in a manner determined to be appropriate by the~~  
20 ~~governing boards of the school district and the community college~~  
21 ~~district.~~

22 ~~(k) Subdivisions (a) to (g), inclusive, and Sections 48800 to~~  
23 ~~48802, inclusive, do not apply to the special students authorized~~  
24 ~~to be admitted to a community college summer session pursuant~~  
25 ~~to this section.~~